

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS ANKARA 001551

SIPDIS

DEPT FOR EB/TPP/MTA/IPE - SWILSON/JURBAN AND EUR/SE DEPT  
PASS USTR FOR JCHOE-GROVES  
DEPT PASS LIBRARY OF CONGRESS FOR STEPP  
DEPT PASS USPTO FOR JURBAN AND EWU  
USDOC FOR ITA/MAC/DDEFALCO AND JBOGER

E.O. 12958: N/A

TAGS: [ETRD](#) [KIPR](#) [TU](#)

SUBJECT: Special 301: Customs' Response to IACC  
Submission

NOT FOR INTERNET DISTRIBUTION

REF: Ankara 1085

1. Econoff met with Cahit Gokcelik, Deputy Director General, Customs General Directorate, and Hulya Erbay, Customs Expert, on March 15 to discuss the International AntiCounterfeiting Coalition's (IACC) Special 301 Recommendation on Turkey. (The Recommendation alleged that the Turkish Customs Undersecretariat requires companies to pay USD 20,000 to provide anti-counterfeit training, although the IACC later backed away from this allegation. However, in a March 3 letter to the U.S. Patent and Trademark Officen, IACC President Timothy Trainer complained that member companies were required to arrange anti-counterfeiting training through a private entity (the Foreign Investors Association - Turkish acronym YASED). Trainer urged the USG to obtain assurances that companies would be able to deal directly with the Turkish Customs Undersecretariat on training issues.)

2. Gokcelik maintained that the Customs U/S does not receive fees charged by the organizers of anti-counterfeiting training. Furthermore, he asserted that Customs is also concerned that the organizers of the training not use this as a profit-making opportunity. He said that Customs has viewed YASED, a non-governmental organization representing foreign companies, as a natural partner in organizing such training. However, Customs is open to alternate arrangements and welcomed a U.S. Embassy role in organizing future training. However, he stated that Customs would prefer to deal with groups of companies, rather than with individual firms, to save time and effort in organizing these functions. Erbay identified herself as the point of contact for training.

3. Econoff told Gokcelik and Erbay that he would report Customs' response to the IACC letter, and would ask Washington agencies to reassure the IACC that YASED and/or other private entities do not have a monopoly in organizing training for the Customs U/S. He suggested that the American Business Forum Turkey (ABFT) could be approached on future training.

4. Erbay provided Econoff with data on Customs' enforcement activities since 2000. She stated that there had been 334 operations since then, of which 126 had resulted in court cases. In 58 enforcement actions, most of them ex officio, the goods were released since the rightholder did not file a court case within the required 10 days. Philip Morris and British American Tobacco were the companies for which the greatest number of counterfeit goods, mainly from China, were seized. Edelman